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Attorneys for Defendant
Mr. Kinney

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,) Case No. 2:23-cr-318-TLN
Plaintiff,)
vs.) STIPULATION AND ORDER TO CONTINUE
) STATUS HEARING AND EXCLUDE TIME
JOSEPH PAUL HERRERA) Date: April 11, 2024
KINNEY,) Time: 9:30 a.m.
Defendant.) Judge: Hon. Troy L. Nunley

IT IS HEREBY STIPULATED and agreed by and between United States Attorney Phillip A. Talbert, through Assistant United States Attorney Alstyn Bennett, counsel for Plaintiff, and Federal Defender Heather Williams, through Assistant Federal Defender Hootan Baigmohammadi, counsel for Defendant Joseph Paul Herrera Kinney, that the previously scheduled Status Hearing set for April 11, 2024 be continued to July 11, 2024 at 9:30 a.m.

The parties specifically stipulate as follows:

- By previous order, the Status Hearing is currently scheduled for April 11, 2024 at 9:30 a.m. Time has been ordered excluded through that date.
- Mr. Kinney respectfully requests that the Court continue the Status Hearing to July 11, 2024 at 9:30 a.m.
- The government has produced approximately 1400 pages of discovery and various audio/video files.

4. Mr. Kinney requires additional time to review the discovery; investigate and research possible defenses; research potential pretrial motions; explore potential resolutions to the case; and otherwise prepare for trial.
5. Mr. Kinney believes that failure to grant his motion would deny him the reasonable time necessary for effective preparation, taking into account the exercise of due diligence.
6. The government does not object to Mr. Kinney's motion.
7. For the purpose of computing time under 18 U.S.C. § 3161 *et seq.* (Speedy Trial Act), the parties request that the time period between April 11, 2024 and July 11, 2024, inclusive, be deemed excludable pursuant to 18 U.S.C. § 3161(h)(7)(B)(iv) (Local Code T4), because it would result from a continuance granted by the Court at the defense's request, based on a finding that the ends of justice served by granting the continuance outweighs the best interest of the public and Mr. Kinney in a speedy trial.

Respectfully submitted,

HEATHER E. WILLIAMS
Federal Defender

Date: April 8, 2024

/s/ Hootan Baigmohammadi
HOOTAN BAIGMOHAMMADI
Assistant Federal Defender
Attorneys for Defendant
Mr. Kinney

Date: April 8, 2024

PHILLIP A. TALBERT
United States Attorney

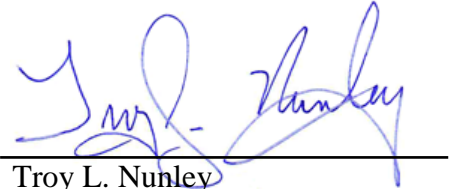
/s/ Alstyn Bennett
ALSTYN BENNETT
Assistant United States Attorney
Attorneys for Plaintiff

ORDER

The Court, having received and considered the parties' stipulation, and good cause appearing therefrom, adopts the parties' stipulation in its entirety as its order.

IT IS SO ORDERED.

Dated: April 8, 2024


Troy L. Nunley
United States District Judge